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SUBJECT: MALDIVES: THE NINTH ANNUAL ANTI-TRAFFICKING IN PERSONS  
REPORT

REF: STATE 132759

¶1. (U) Post's submission for the ninth annual Anti-Trafficking in Persons (TIP) Report for the Maldives follows. Responses are keyed to questions in reftel. Post point of contact is ConOff Joel T. Wiegert, telephone +94-11-249-8635, fax +94-11-249-8590. One officer, FS-04, spent 24 hours in the preparation of this report.

#### SECTION 23 - MALDIVES TIP SITUATION:

¶2. (SBU) A -- Sources of information on trafficking in persons in the Maldives were the Maldivian Government and NGOs. The Human Rights Commission (HRCM) of the Maldives (a publically funded agency), in conjunction with the International Organization for Migration (IOM), will be conducting a survey of trafficking in the Maldives in preparation for the upcoming 2009 annual South Asian Association for Regional Cooperation summit. The aim of this survey is to find out the extent of the problem of the trafficking of migrant workers in the Maldives and then recommend changes to Maldivian law, as well as the SAARC convention against trafficking. The review panel will be composed of an HRCM Commissioner and a senior member of the Human Resources Ministry. All sources were considered reliable.

¶3. (SBU) B -- The Maldives was a destination country for a number of migrant workers, predominantly from Bangladesh and India, who came to work in the construction and tourism sectors. It was unknown how many of these workers were actually trafficking victims, but of the 80,000 expatriate workers in the Maldives, an estimated 20,000 were there illegally. These illegal workers were most at risk of becoming trafficking victims, although some legal workers could also be classified as trafficking victims. Most illegal migrant workers in the Maldives were in the capital, Male.

¶4. (SBU) B Cont'd -- A small number of foreign women, predominantly from Sri Lanka, Thailand, India and China, were trafficked to the Maldives for sexual exploitation. They were only known to have been trafficked into Male. There were two indentified cases of sexual exploitation in the Maldives, and although there are no precise figures on the total number of victims, it is believed to be small.

¶5. (SBU) B Cont'd -- A small number of Maldivian girls, under the age of 18, were trafficked to Male from other islands in the Maldives to work as domestics in exchange for room and board so that they could receive a better education than was available on their home islands. No one has ever tracked this phenomenon, so other than knowing that it has occurred there was no information on how many people were affected.

¶6. (SBU) B Cont'd -- A new trend that was observed by the Department of Immigration and Emigration was the use of the Maldives as a transit country for smuggling/trafficking. Officials in the Department have not sought to differentiate how many of the people smuggled may actually have been trafficking victims, but each week 10-15 people (primarily from China and Iran) were intercepted at the country's only international airport. Most were bound for Europe.

¶7. (SBU) B Cont'd -- The Maldives was not a source country for the international trafficking of persons.

¶8. (SBU) C -- International trafficking victims were predominately trafficked to Male. For male trafficking victims, they were

trafficked into what has been described by local NGOs as "slave like conditions." Workers had to sleep in shifts in extremely crowded rooms, received little food, and were forced to work long hours. Employers and the employment agencies that brought them into the country commonly held their passports. Frequently, these workers were paid significantly less salary than they were promised. In addition, some workers thought they were going to the U.A.E., but ended up in Male. Some workers did not actually have jobs after they arrived in the country. Women trafficked for sexual exploitation were usually held in rooms in apartment buildings or guest houses in equally poor conditions. Domestic trafficking victims were kept in private households on Male. No other information was available on their living conditions.

¶9. (SBU) D -- As indicated in the preceding paragraphs, young Maldivian girls from the outlying islands were most at risk of being internal trafficking victims. For international trafficking, it was predominantly men, especially from Bangladesh and India, who were at risk.

¶10. (SBU) E -- Traffickers in the Maldives fell into at least two different categories depending on their victims. For internal trafficking, Maldivian girls were generally sent by their parents from the outer islands to Male, so that they could receive a better education. The traffickers in these cases were affluent families in Male. The girls were identified and brought to Male based on personal relationships. If the two families did not know each other, a third party who was known to both families would act as an intermediary. There was no formal process or agents used in this.

Once the girls were in Male, there was the chance that they might become trafficking victims. There were allegations that some ended up working full time as domestics and never attended school. There were allegations that girls were also sexually abused by the families with whom they stayed. No source had information on the possible number of exploited girls. Although this phenomenon was part of Maldivian culture, with the increase in education opportunities on the other islands, it has been decreasing.

¶11. (SBU) E Cont'd - The second group of traffickers were employment agents within the Maldives. As of 2009, all employers in the Maldives were required to use employment agents to bring workers to the Maldives. There were about 200 registered employment agents in the country. In order to operate, agents needed to be registered with the Ministry of Human Resources, Youth and Sports so that they could receive quotas and work permits to bring in workers. However, labor exploitation occurred not just with employment agents, but with employers as well.

#### SECTION 24 - SETTING THE SCENE FOR THE MALDIVES' ANTI-TIP EFFORTS:

¶12. (SBU) A -- The Maldivian government does acknowledge that trafficking of migrant workers was a problem.

¶13. (SBU) B -- The Maldivian Police Service, the Department of Immigration and Emigration, the Ministry of Human Resources, Youth and Sports, and the Prosecutor General's Office were all involved to varying degrees with anti-trafficking efforts. There was no one agency which had the lead.

¶14. (SBU) C -- The impediments to addressing the problem of trafficking within the Maldives were primarily the migrant workers themselves. Neither legal nor illegal migrant workers came forward to make formal complaints to the Maldivian government. Migrant workers often paid up to USD 4000 for a valid work permit to work in the Maldives. Even when an exploitive situation was resolved, workers were often reluctant to leave the Maldives until they could make enough money to at least cover their expenses. There was a lively market for casual day laborers, especially in the construction sector on Male. If a worker could find steady employment this way, he could make more money than he could as a regular contract worker. This was believed to be the reason so many migrant workers stayed illegally and did not object when the promised job did not materialize or the amount of money promised was different. In addition, if an employer or agents in the Maldives held an employee's passport, the worker could obtain a new one through his country's high commission (both India and Bangladesh

have diplomatic missions in Male). Often though, this was not done right away. Only when a worker decided to leave Male would he apply for a new passport and a ticket home. The Maldivian government required that employment agents pay a bond on migrant workers equal to the cost of a plane ticket home. As a result, there was money to send people back to their home countries. As for other resources to support trafficking victims, the Maldives is a developing country that is lacking in resources, so having money set aside to help a small number of trafficking victims was not a priority.

¶15. (SBU) D -- The Maldivian government did not systematically monitor its anti-trafficking efforts. The Police and Department of Immigration and Emigration did track information on trafficking/smuggling, but this data was not made public.

## SECTION 25 - INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

¶16. (SBU) A -- The Maldives did not have laws that definitively defined and prohibited trafficking. However, there were three separate laws that covered trafficking offences. The Constitution, adopted in August 2008, prohibits forced labor and slavery. The Employment Act of 2008, which came into force in October 2008, regulates all aspects of employment and covers exploitive labor. The Protection of Children Act covers labor exploitation of children. There were no laws that specifically outlawed sexual exploitation or even assault, but these crimes could be tried under section 173 of the Rules of Procedure adopted in February 2008.

¶17. (SBU) D -- Sexual offenses were punishable by 3 to 15 years imprisonment.

¶18. (SBU) C -- The only prescribed penalty for labor trafficking was a fine. However, even this was not carried out in practice. Generally, if there was a violation of the Employment Act, the Ministry of Human Resources would blacklist the company, preventing it from bringing in new workers until it had rectified the violation. The Labor Tribunal that the 2008 Employment Act called for had not yet been setup.

¶19. (SBU) D -- Sexual offenses were punishable by 3 to 15 years imprisonment.

¶20. (SBU) E - In early 2008, the Prosecutor General's Office prosecuted and received a conviction in one case of forced labor. The migrant worker was chained in a small room for days and let out only for work. The convicted person was sentenced to four months imprisonment. No details were available about which law the person was convicted under. There was one case of possible external trafficking for sexual purposes, but the case was dropped due to lack of evidence against the trafficker.

¶21. (SBU) E Cont'd -- There were no prosecutions or investigations against employers or labor agents for labor exploitation.

¶22. (SBU) F -- Officers with the Maldivian Police and the Department of Immigration and Emigration had training in the recognition of trafficking victims. No NGOs were known to be involved in the training. There was no training, however, for investigating and prosecuting trafficking crimes.

¶23. (SBU) G -- There were no known examples or requests for the Maldivian government to cooperate with other governments in the investigation and prosecution of trafficking cases.

¶24. (SBU) H -- There were no known requests for the Maldivian government to extradite anyone charged with trafficking.

¶25. (SBU) I -- There was no known involvement of Maldivian government officials in or tolerance of trafficking at any level.

¶26. (SBU) J -- N/A

¶27. (SBU) K -- Prostitution was illegal in the Maldives, as were the activities of prostitutes, brothel owners/operators, clients, pimps and enforcers. These laws were enforced.

¶28. (SBU) L -- N/A

¶29. (SBU) M -- The Maldives did not have an identified problem of child sex tourists coming to the Maldives nor have any Maldivians been implicated in engaging in child sex tourism.

#### SECTION 26 - PROTECTION AND ASSISTANCE TO VICTIMS:

¶30. (SBU) A -- There was no special protection provided for victims and witnesses under Maldivian law.

¶31. (SBU) B -- The Maldives did not have any victim care facilities specifically for trafficking victims.

¶32. (SBU) C -- The Maldivian government did not provide trafficking victims with any special legal, medical or psychological services that regular Maldivians were not entitled to.

¶33. (SBU) D -- The Maldivian government's policy was to get foreign national trafficking victims out of the Maldives as quickly as possible. As a result, there were no provisions for granting residency status.

¶34. (SBU) E -- The Maldivian government did not provide shelter or housing benefits to victims, except on a very short-term basis.

¶35. (SBU) F -- There were no institutions that provided victim assistance to trafficking victims in the Maldives.

¶36. (SBU) G -- There were two confirmed cases of international sexual trafficking to Male in 2008. Both victims were identified as trafficking victims by the Police. There were no care facilities or other assistance programs for the victims, but the Maldivian government did provide a location for them to stay until their high commissions assisted them in returning home. There were no cases of international labor trafficking or internal trafficking victims identified within the reporting period.

¶37. (SBU) H -- Officers with the Maldivian Police and the Department of Immigration and Emigration had training in the proactive identification of trafficking victims. Whether or not this could be considered a formal system was not clear.

¶38. (SBU) I -- The rights of trafficking victims, both sexual and labor, were respected. There were no known instances in which trafficking victims were fined or prosecuted. Instead, they were sent out of the country as soon as possible.

¶39. (SBU) J -- The Maldivian government neither encouraged nor discouraged victims to assist in the investigation and prosecution of labor trafficking. There were two confirmed cases of sexual exploitation in 2008. After it was confirmed by the Police that they were not in fact prostitutes, they were both assisted in leaving the country by their high commissions. The Maldivian Government's policy was to get victims out of the country as quickly as possible. However, this did have the result that the victims were not available to testify in any prosecutions. In both of these cases, the traffickers were also foreign nationals and they were deported soon after it was determined that a crime had been committed. The government said that deportation was preferable to imprisonment because of the high cost of incarceration, approximately \$100 per day per prisoner.

¶40. (SBU) K -- Officials in the Police and the Department of Immigration and Emigration had received training in the identification of trafficking victims; however, none were trained on the provision of assistance. Because there were no instances of Maldivians being trafficked abroad, there was no special training on protection and assistance to Maldivian embassies and consulates.

¶41. (SBU) L -- The Maldivian government did not have a policy to provide assistance to Maldivian trafficking victims; however, there were also no instances of Maldivians being repatriated as victims of trafficking.

¶42. (SBU) M -- There were no international organizations or NGOs that worked with trafficking victims in the Maldives.

SECTION 27 - PREVENTION:

¶43. (SBU) A -- The Maldivian government conducted one anti-trafficking information campaign in January 2008. The aim of the campaign was to educate the public on the content of the 2008 Employment Law.

¶44. (SBU) B -- The Department of Immigration and Emigration did monitor immigration and emigration patterns for evidence of trafficking. Each week it intercepted approximately 10-15 smuggling/trafficking attempts at its one international airport. When identified, the person being smuggled/trafficked was returned to his point of origin.

¶45. (SBU) C -- There was no formal mechanism for coordination and/or communication between Maldivian government agencies on trafficking-related matters. However, the Ministry of Human Resources, Youth and Sports, which issues work permits for migrant workers, and the Department of Immigration and Emigration, which oversees visas and border control, were in frequent contact regarding migrant workers. Other government personnel in different agencies also talked with one another, but this was based more on personal relationships rather than any formal mechanism.

¶46. (SBU) D -- The Maldivian government did not have a national plan to address trafficking in persons.

¶47. (SBU) E -- The Maldivian government did not report any efforts to reduce the demand for commercial sex acts during the reporting period. However, the demand for commercial sex did not appear to be significant in the Maldives.

¶48. (SBU) F -- The Maldivian government did not take any steps to reduce participation of its nationals in international child sex tourism; however, there was no known involvement by Maldivians in international child sex tourism.

¶49. (SBU) G -- N/A